

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

CHERI MICHELLE EDENS,

Plaintiff,

v.

CIVIL ACTION NO. 2:22-cv-00101

CEBRIDGE ACQUISITION, LLC, et al.,

Defendants.

ORDER

Pending before the Court is Defendants’ Motion to Compel Arbitration. (ECF No. 42). On January 26, 2023, in the related case of *Gooch v. Cebridge Acquisistion LLC*, Defendants appealed this Court’s January 25, 2023 order denying their Motions to Compel Arbitration and to Stay Litigation. *Gooch v. Cebridge Acquisition LLC*, 2023 WL 415984 (S.D. W. Va. Jan. 25, 2023), *appeal pending*, No. 23-1146 (4th Cir. filed Feb. 8, 2023).

A stay in the instant case is proper because the disposition of the pending motion will be informed by the Fourth Circuit’s resolution of relevant issues in *Gooch*. Indeed, “the power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936).

The issues presented in this case are substantially similar to those presented in *Gooch*. The plaintiffs in each case were Suddenlink customers who opted out of the same class action settlement in New Jersey state court. (ECF No. 44 at 6.) Similarly, both plaintiffs argue that

they never entered into an arbitration agreement with Suddenlink, and that even if they did, those arbitration agreements are unenforceable. (*Compare* ECF No. 44, to *Gooch v. Cebridge Acquisition LLC*, No. 2:22-cv-184, ECF No. 11).

Because of the similarity in these cases and the common issues of law that are likely to be addressed on appeal, the Court **STAYS** this case pending the Fourth Circuit's decision in *Gooch* and **REMOVES** this case from the Court's active docket.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: September 23, 2024



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE